The Meaning of Marriage and the Foundations of the Family

Sidney E. Goldstein

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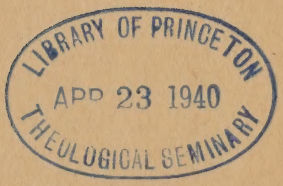

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Meaning of Marriage

AND

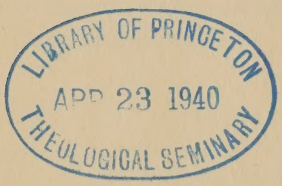
Foundations of the Family

A JEWISH INTERPRETATION

By

SIDNEY E. GOLDSTEIN

Associate Rabbi, Free Synagogue; Professor of Social Service, Jewish Institute of Religion; Chairman, Committee on Marriage, the Family and the Home, Central Conference of American Rabbis



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to

SUSAN E. GOLDSTEIN

Serene and gracious in spirit;
Self-forgetting in service;
Joyous and soulful in song;
Immortal in love.

Topics

		PAGE
	FOREWORD	vii
I.	THE CRISIS IN MARRIAGE AND THE FAMILY	1
II.	THE MEANING OF MARRIAGE	6
III.	PREPARATION AND PREDICTION	11
IV.	LAWS AND CEREMONIES	18
V.	INCOME AND EXPENDITURES	24
VI.	HEALTH AND HEREDITY	30
VII.	COMMON INTERESTS AND COMRADESHIP	35
VIII.	TRUTH AND TRUST	41
IX.	CHASTITY AND FIDELITY	46
X.	BIRTH CONTROL	52
XI.	EDUCATION, TRAINING, DISCIPLINE	58
XII.	THE ORGANIZATION OF THE FAMILY	64
XIII.	INTERMARRIAGE	70
XIV.	DIVORCE	76
XV.	THE FUNCTION OF THE FAMILY	82
XVI.	SELECTED READINGS	87
XVII.	PURPOSE AND PROGRAM OF THE COMMITTEE ON MARRIAGE, THE FAMILY AND THE HOME, CENTRAL CONFERENCE OF AMERICAN RABBIS	91

Foreword

MEN and women, both the married and the unmarried, are awakening to a new interest in the problems of marriage and family life. This is evident in the response to the expanding programs in colleges, churches and synagogues, community centers and settlements. It is evident also in the increasing number of magazines, pamphlets and books on the subject of marriage and family relationships.

It is my earnest hope that this booklet on "The Meaning of Marriage and the Foundations of the Family" will serve a three-fold purpose: First, that it will introduce men and women to the treasure-house of Jewish experience, that is, the laws, the standards and the ideals, that have governed Israel during the centuries in the matter of marriage and family development; second, that it will acquaint men and women with the vast amount of new material on marriage and the family that is being assembled in the laboratories of social science and is now being made available to larger and larger circles of the population; third, that it will encourage men and women to prepare themselves more adequately for marriage and family life and lead them to seek expert counsel and guidance at an early stage in the solution of marital and family problems.

I am deeply grateful to a number of friends and associates who have been generous enough to read the text of this booklet. I am especially indebted to the following for their criticisms and corrections: Dr. Stephen S. Wise, Prof. Jacob Z. Lauterbach, Prof. Ernest W. Burgess, Prof. Joseph K. Folsom, and Rabbi Samuel Glasner.

SIDNEY E. GOLDSTEIN.

New York, December 1939

I

The Crisis in Marriage and the Family

EVERY social institution, political, economic, cultural and religious, is today passing through a crisis. The institutions of marriage and the family are no exception. We do not all realize, however, that the crisis in marriage and family life is just as serious and significant as the crisis in religion, cultural relations, economic organization and the political order. One symptom of this crisis is the deepening rebellion of children and youth against the authority of parents. There is always a distance both in thought and action between the older and the younger generation; but not for many decades have the disagreements between parents and children grown so open and acute. Another symptom is the widening revolt of women against the domination of the husband in marriage and family affairs. This is undoubtedly one phase of the emancipation of women, a movement that has been advancing for over a century; but never before have wives and mothers insisted with such emphasis upon their right to freedom, even from the bonds of family routine. A third symptom, one not often discussed but nevertheless real, is the increasing restlessness of men. This may be only an expression

of the restless spirit of the age. It is more likely, however, that it is an expression of the spirit of adventure innate in the heart of every man and an indication of the resentment men feel today against what is regarded as the regimentation of family life.

More serious than these symptoms is the evidence concerning the increase in estrangements, separations, desertions and divorces. It is difficult to estimate the number of estrangements, separations and desertions that do not end in divorce. But we do know definitely the number of divorces that occur and the incredible increase in the divorce rate. In 1867, the first year for which we have accurate statistics, about 10,000 divorces were granted in the United States; 42,000 in 1896; 72,000 in 1906; 112,000 in 1916; in 1929, at the very crest of prosperity, a little more than 201,000 divorces were granted in this country; in 1937, the last year for which the figures are available, the number rose to over 250,000. Since 1870 the population of the United States has increased 300%; marriages have increased 400%; and during the same period divorces have increased 2000%.

Professor William F. Ogburn, of the University of Chicago, has stated that at the present time there is one divorce to every five or six marriages in America. A study of social statistics recently made by the late Dr. Isaac M. Rubinow and published by the American Academy of Political and Social Science, reveals that out of every nine marriages existing in the United States today seven will be dis-

solved by death and two by divorce. This means that about 20% or one-fifth of the 29,000,000 families in the United States are in danger not only of discord but of complete disruption. A most tragic fact discovered in studying these statistics is that 36% of the divorces are granted during the first four years of marriage, and that 66% are granted during the first nine years of marriage. The first ten years of married life must, therefore, be described as a decade of danger.

These breakdowns are the result in part of fundamental changes taking place within the institutions of marriage and the family. The very foundations upon which marriage has rested for generations, that is, the power of the parent, the sacrament of religion and the contract of the state, are disintegrating. New foundations are being constructed out of the material gathered from the fields of science, biology, psychology, economics and ethics. It is with these new foundations that young men and women are now chiefly concerned.

The family likewise is suffering through changes that are equally fundamental, changes, that is, in structure, in organization and in function. The conscious and deliberate limitation of children through contraception is no less significant than the change in structure from polygamy to monogamy. The change from the patriarchal form of organization in which the father was in command of the family group, to a democratic type is just as profound as the change from the matriar-

chal organization in which the mother was in control of family development and family destiny. The change in emphasis from the economic function of the family to psychological satisfaction and educational experimentation is just as radical as the change from the biological to the economic. Men and women have not learned as yet to adjust themselves to these changes and the consequence is a series of tensions, clashes and conflicts that almost inevitably lead to dissension and breakdown. Until men and women learn to understand and to accommodate themselves to these new modes of marriage and family life they cannot possibly escape confusion and conflict.

It is, therefore, most urgent that we undertake to equip ourselves more wisely in the matter of marriage and family relationships. This we can do in three ways. In the first place we must restudy marriage and the family in the light of the teachings and ideals of Judaism. In the course of 4000 years of history the people of Israel have accumulated a social experience that is unique, and out of this experience have come concepts of marriage and the family, codes of conduct, and also principles and ideals that embody the wisdom of centuries. In the second place we must educate ourselves for marriage and family life in accordance with the new knowledge that is now being made available. In medicine, law, psychiatry, religion, in the laboratories of social sciences more especially, material is being assembled that gives us a new

understanding of the problems of marriage and family life and a new insight into the intimate relationships that within this circle are inescapable.

In the third place we must learn to seek counsel and guidance from experts when difficulties develop in the area of marriage and family organization. When we are ill we consult a physician; when we have a legal problem we consult a lawyer; today Consultation Centers are being established in which we find a staff of men and women who have specialized in family counseling and who are able to assist us to a better understanding and solution of marriage questions and family problems. With a knowledge of Israel's standards and ideals in our possession, with education for marriage and family life in accordance with current procedures, and with counsel and guidance from experts, we shall be able to cope more effectively with the problems we face and save ourselves from needless disillusionment and disaster.

II

The Meaning of Marriage

SOCIOLOGISTS and anthropologists recognize that marriage is the oldest of our social institutions. It appears, in fact, in rudimentary form long before we reach the human level in the upward sweep of evolution. It comes into being evidently in response to needs that are profound and elemental. It is fascinating to trace the history of this institution, the stages through which it has passed, the richness and color and beauty of the customs that envelope it among every people. We know that marriage rests upon a biological basis; that it meets urgent biological needs and assures a continuation of the race. Marriage also rests, we are aware, upon an economic basis. In every stage of civilization marriage makes it possible for men and women to provide themselves with food, shelter and protection that would be more difficult if they lived apart. Marriage likewise, we have recently learned, rests upon a psychological basis. Both men and women are moved by desires, yearnings and aspirations that marriage meets more adequately than any other relationship. This is probably the implication of the rabbinical proverb: "A man who has no wife is not a (complete)

man." Marriage has in addition come to possess in the course of time a legal basis. It is incorporated as an institution into the code of law of every nation. It not only imposes responsibilities upon both husband and wife; it also legally guarantees to each one privileges and rights that neither must deny. All these aspects of marriage have persisted into our own time and it is unwise to ignore any one of them.

It is most important, however, not to allow marriage to lapse to a level lower than the one to which Judaism has lifted it. We are living in a period that is pervasively secular and scientific, and there is danger that men and women, especially young people, will come to interpret marriage in nothing more than scientific and secular terms. Not infrequently we meet young men and women who tell us quite frankly: I have taken courses in biology and the natural sciences and I can see that marriage is nothing more than a device of nature to perpetuate the race. Its sole purpose is simply propagation. Or: I have taken courses in the social sciences and I now realize that marriage is only a social institution that society has established for its own protection. Like all social institutions it is subject to social growth and decay. Perhaps there are other institutions that will serve society better; society at least must be free to experiment with other forms of relationship. Or: I have studied law and the development of legislation and understand fully that marriage is nothing more or less than

a civil contract. It is a contract that two people make with each other and a contract therefore that these two people are free to dissolve when the terms are violated or when they weary of the partnership. The law moreover is a secular system and therefore there can be nothing sacred in the character of the marriage covenant. In view of the spirit of our time it is not strange that young men and women should speak in this manner and even translate their speech into conduct.

It is true, undoubtedly, that marriage rests in part upon a biological, an economic, a psychological, a legal and a social basis. But, according to the teaching of Judaism, marriage is something more than a biological mating; something more than an economic arrangement; something more than a legal entity; something more even than a psychological association. The term for marriage in Jewish literature and law is *Kiddushin*. This term is derived from the Hebrew word *Kodosh* which means holy or sacred. Marriage is, therefore, according to the teachings of Israel, a santification, a consecration. Its purpose is to hallow and to sanctify the relationship of husband and wife. This concept of marriage is expressed in the very words that from ancient days the bridegroom utters in wedding his wife and that today the bride also repeats: "Be thou consecrated unto me." "According to the law of Moses and Israel" was added later; and "by means of this ring" later still.

In the earliest Story of Creation God is repre-

sented as saying: "It is not good that man shall live alone; I will make a helpmate for him." The Sages in commenting upon the Story of Creation ask the question that occurs to many of us. God made the world in six days and rested on the seventh; what has the Lord been doing since the time of Creation? And the answer the Sages give is clear and direct: God has been uniting men and women in marriage. That marriage, as Israel understands it, possesses a divine character is evident also from the teachings and symbolism of the Prophets. The Prophets often picture God as the husband and Israel as the wife. The covenant between husband and wife is so sacred that they conceive of this covenant as binding even God and Israel together. In no passage of our literature is the spirit of this relationship expressed more tenderly and more beautifully than in the message of Hosea who, out of the tragedy in his own domestic life, learned the meaning of marriage: "I will betroth thee unto Me forever; yea, I will betroth thee unto Me in righteousness and justice; in loving kindness and in compassion; I will betroth thee unto Me in faithfulness."

Marriage, Judaism teaches, rests upon morals as well as upon mores. It is for this reason that the deepest distress in marriage comes not from biological defects, nor psychological differences, nor economic pressures and hardships, but from a defiance of ethical principles and a betrayal of spiritual ideals. Marriage at its highest, and who

would have it less than this, is a spiritual relationship sanctioned by society and sanctified by religion. When marriage attains this height it conjures up glories and splendors that come at the call of no other mystic invocation. It stirs from their sleep mighty elemental forces that run back through the ages and lose themselves in the mists of primeval nature. It throws open magnificent vistas filled with visions that hover upon the horizon like opalescent clouds floating forever into an infinite heaven. It clothes the man and woman it touches with a garment of golden light. It is the one miracle that turns the poorest heart into an altar of holy fire and the most shrunken soul into a sacred shrine. The poet is right:

God be thanked, the meanest of his creatures
Boasts two soul-sides, one to face the world with,
One to show a woman when he loves her.

Those who marry and live together in this spirit know intuitively the meaning of marriage, know that their marriage is not a matter of the years, but a deathless union invested with the radiance of eternal beauty and crowned with the divine and perfect promise of an immortal love.

III

Preparation and Prediction

MOST young men and women do not realize that it is necessary to prepare themselves for marriage and family responsibilities. They know full well that they must prepare themselves for any worthwhile occupation or career; that they must train themselves for every important post; that they must invest even years in equipping themselves for the profession of teaching, medicine, law or the ministry. But outside of a very limited number, young people never think seriously of preparation for husbandhood, wifehood or parenthood, the most difficult of all vocations and careers. Even intelligent and well-educated young men and women, graduates of colleges and universities, confess that they have done no more than read a few pamphlets or books that discuss the biological aspects of marriage, or more narrowly still, that describe the process of reproduction and the art of marital association.

One young woman, who was about to be married, a graduate of a normal school and a teacher in a high school of New York, admitted to the minister that the only preparation she had for marriage was a required course in hygiene taken

during her freshman year in college. A young man, a graduate of one of the best universities and law schools and a practicing attorney in the metropolis, also admitted when he called upon the minister to conduct his marriage ceremony that the only preparation he had was a course taken during the last year in law school on the subject of divorce. These two young people are not exceptions; they are typical of their generation. Unless they have been fortunate enough to study in an institution where a course on the family is given, and they have taken this course, they have little or no understanding of the problems of marriage and the family and the home.

One reason for the lack of acquaintance with home life and family organization is found in the increasing number of young women in high school and in college. Even when they attend institutions in their own cities, their day is occupied in classrooms and study during the four years in high school and four years in college; in other words, for eight years, from twelve to twenty, this group is also out of the home and engaged in the study of subjects and in activities that have little relation to marriage and home life. Another reason for the ignorance and inexperience of young people today is the migration of young men and especially young women from the home. With the establishment of the factory system and the development of commercial enterprises young girls and young women have sought work outside the

home; in fact they have found it necessary in many cases to enter industry and commerce in order to maintain themselves.

Today over 10,000,000 women from sixteen years of age upward are engaged in gainful occupations; in agriculture, industry, commerce, finance and the professions. This means that more than one-fifth of the women over sixteen spend a large part of their time outside the home in centers of different types of occupation that not only lessen their interest in home life but that leave them no time in which to train themselves in housekeeping and home-making. One consequence of the employment and economic emancipation of women is that they learn little about the ways in which a home must be maintained and less about family relationships. When girls lived and worked within the home they shared in the life of the household and necessarily learned how to buy, to cook, to sew, to furnish rooms and to keep house; they also learned how to take care of children and to aid in case of accident or sickness or emergency. This experience, while it was simple and elementary, constituted their training and prepared them to some degree for marriage and family life.

The question is often asked by young people: Why do we need to prepare for marriage and family life? Our parents and grandparents had no such preparation as is expected of us and they seem to get along fairly well. The answer to this question is simple and direct. In the first place they did

have some preparation, especially in home-making and housekeeping; and, in the second place, it is clear now that they did not always get along as well as many of us are accustomed to believe. In the third place, and most important of all, life has changed with almost incredible speed during the last generation or two. The life of our parents and grandparents was comparatively simple; our life today has become comparatively complicated and is also doubly difficult. The pattern of life not only in urban centers but in small towns and rural districts has suddenly grown much more intricate. The radio, the motion picture, the multitude of magazines, the automobile have all introduced into every home everywhere sights and sounds and experiences and adventures that not only destroy the simple patterns of the past but create bewilderment and confusion. The conflicts in our cultural, economic and political organizations penetrate into every home and charge the atmosphere of every household with irritation and fill every mind with perplexity. In the midst of the current economic collapse, the crumbling of empires, the advance of vast military machines, the impending social cataclysm, it is not surprising that men and women lose their equilibrium and sense of direction. In no section of life is the impact of these seismic forces felt more vividly than in the circle of marriage and the family. Now more than ever there is urgent need for preparation, control and guidance in our conduct.

In what way should young men and young women prepare themselves for marriage? The first step it seems is to learn to keep house. Courses in home economics are given in every city, in most high schools and in some colleges and in a few community centers. These courses, however, are not required in all cities and many young women, therefore, enter marriage without the ability to prepare even a simple meal and with no knowledge whatever of the way in which a home should be properly furnished. The second step is to learn what every man and woman should know about the structure and functionings of the human body. There is no excuse whatever for ignorance or misinformation. Courses are given everywhere and pamphlets and books are easily available in every community. And still men and women grow up without adequate understanding of anatomy, physiology, hygiene, reproduction and disease. The third step is a study of attitudes, relationships and standards that constitute an essential part of marriage and family life. It is true that we learn best through experience; but it is also true that we are constantly in the midst of experience in marriage and family life. The clinical material, to use a technical term, surrounds us at all times. We actually live in the laboratory of marriage and family life. What we need to do is to study this material, to discover as far as possible what men and women have a right reasonably to expect from each other in marriage; the ways in which mothers

and fathers and parents and children live together from day to day; the standards that they are justified in establishing in this stage of social development. Without this elementary preparation young men and women must resort to the trial and error method of experimentation, which means that they will make more errors than is necessary and suffer many trials that could undoubtedly be prevented.

Another and a very important way to prepare is to study the factors that determine success or failure in marriage and family life. It is not possible in our present stage of social research to predict the outcome of every engagement and marriage, but we do know much more than we did a generation ago. The studies of Dr. Robert L. Dickinson indicate that certain biological conditions have a close relation to happiness or unhappiness in marriage; the studies of Prof. Lewis M. Terman indicate that certain psychological factors have a close relation to happiness or unhappiness in marriage; and the studies of Prof. Ernest W. Burgess indicate that certain social factors have a close relationship to happiness or unhappiness in marriage. Prof. Burgess states that the following "factors show a marked relation with adjustment in marriage:

1. When the parents of both husband and wife are happily married.

2. When husband and wife agree in desiring children.

3. When there is close attachment of husband and wife to their respective parents.

4. When the cultural background of the family of husband and wife is similar as determined by a number of factors such as their nationality, religious preference, church activity, educational, economic and social status combined into an index.

5. When there is similarity of background of husband and wife as determined by the same factors as in number 4 compared so as to bring out likenesses and differences."

In no section of social research is more careful and cautious explorations being conducted, and to disregard the findings of the social scientists would be as inexcusable and stupid as to ignore the discoveries of physicists, chemists and biologists. Prof. Terman in his latest work makes the statement: "It is by no means unreasonable to expect that within a decade or two it will be possible by such methods to predict marital compatibility with greater accuracy than it is now possible to predict academic success from a composite of intelligence test scores and previous scholarship records." Even now we know enough to prevent much misery in marriage and family life.

IV

Laws and Ceremonies

WHEN the Jews lived as a separate and autonomous community, as they did in ancient and medieval times, and in certain countries even in modern days, they conducted their affairs under the jurisdiction of the Jewish law. The Jewish laws governing marriage in the Bible are fully developed in the Talmud and amplified and modified in the later codes. From these laws it is evident that for many centuries there were three stages in the marriage ceremony in Israel, the engagement or *Shidduchin,* the betrothal or *Erusin,* and the marriage service or *Nissuin.* The engagement was not a legal requirement, but from very early days it was regarded as improper to arrange for the betrothal without a previous formal engagement. The betrothal was the legal ceremony in which the bride and groom were consecrated unto each other by means of a gift or a written contract. This ceremony took place in the presence of witnesses and preferably before ten people. It possessed full legal validity if performed in the presence of two witnesses. Some time after the betrothal, usually a year, the wedding service itself took place. This ceremony was conducted under

the *chuppah* or canopy and the bride was then escorted to the home of her husband, an act symbolizing the consummation of the marriage. In early times the chuppah meant the home of the bridegroom or the bridal chamber. In later times the betrothal and the wedding ceremony were merged into one service. Today both of these ceremonies are conducted under the chuppah or canopy with the signing and delivering of the *Ketubah* or marriage contract as an essential part of the marriage service.

The provisions of the Jewish law are interesting and instructive when compared with the provisions in the laws today. The legal age for marriage, for example, according to Talmudic law, is the age of puberty, the completed thirteenth year in males and the completed twelfth year in females. During the periods of persecution and uncertainty of life, marriages not infrequently were contracted even at an earlier age by the parents of the children. In the ethical teachings, however, the approved age for marriage is eighteen. The free consent of both parties is essential, otherwise the marriage is void. The consent of parents is required only when the bride and groom are under legal age, or the age of consent. The contract of marriage is given by the groom and accepted by the bride and in the contract the husband agrees to assume very definite duties and responsibilities. He must provide his wife with food and clothing and shelter; he must arrange for proper medical

and nursing care when she is sick; he must protect her and ransom her in case she is kidnaped or captured during an invasion; he must live with her as her husband; and he must provide for her burial in case of death.

On the other hand, the husband is entitled by law to what his wife may earn; to whatever she may acquire by chance during her marriage; he is also entitled to enjoy the advantage of whatever property she brings with her as her portion or her dowry or that is bequeathed to her after marriage; and he becomes her sole heir upon her death. It is the wife's duty to manage the household, to care for the children, to take care of her husband and to make her home with him wherever he may decide to live. The rights of the wife are implied in the duties of her husband and in case she is divorced or he dies she receives only the portion that she brought with her into marriage and the dowry stipulated in the contract. In case of the husband's death the widow has the right to remain in his house and be supported by his estate as long as she desires. But from the moment that she demands and obtains payment of what was stipulated in the contract she forfeits this right.

In the United States we live under the jurisdiction not of the Jewish law but of the law of the state in which we legally reside. This is recognized by the principle of jurisprudence in the Jewish code, namely, "the civil law of the State is the law," that is, we recognize the jurisdiction of the

law of the land in which we dwell. Marriage and divorce come within the jurisdiction of the state and every state has its own marriage law which is a part of the Domestic Relations Law. The law of the state therefore must be carefully studied and fully understood in order that no question may arise as to the validity of the marriage.

According to the law of the state marriage is a civil contract and like other contracts it presupposes certain conditions and imposes certain legal obligations. In order to be binding these conditions must be met and the obligations must be accepted. In other words, marriage in America involves the assumption of responsibilities from which no one is exempt. In every state the law assumes or states that the legal age is the age required for marriage; but under certain circumstances the guardian of the young man or the young woman has the power to consent to the marriage when the young man or the young woman is below the legal age. The court of jurisdiction may also, under certain conditions, authorize the marriage when either one or both of the parties to the contract are minors. Some states also require an interval to elapse between the time of application for the marriage license and the time the license is issued; or between the time the license is issued and the time the ceremony is performed. Some states even require both intervals. The law also authorizes certain civil servants and clergymen to perform the ceremony. It is very im-

portant that all these provisions be observed and that the record of the marriage be properly filed with the state.

Many customs of a semi-legal or sentimental significance cluster about the marriage ceremony in Israel. Israel Abrahams in his work on *Jewish Life in the Middle Ages* discusses the meaning and origin of many of these customs. The canopy or chuppah is probably a symbol of the bridal chamber. This custom, still a part of the ceremony among Orthodox and Conservative Jews, is now succeeded by a bower of ferns or flowers among Reform Jews or is omitted altogether. In most ceremonies two glasses of wine are used, both of which are given to the bride and bridegroom to drink. It is also customary to break a glass under the chuppah. There is some doubt about the meaning of the second glass. It is broken, tradition says, as a sign of mourning over the destruction of Jerusalem. Modern research seems to indicate, however, that the second glass of wine goes back to the time when the Jews, like many other peoples, believed in demons. The demons were jealous of the happiness of men and had to be placated; hence a glass of wine for them as well as for the bride and the groom. Originally the glass of wine was thrown at them; the later custom is simply to break an empty glass. The ring is also an interesting part of the service. The ring does not appear in the Jewish ceremony until after the time of the Talmud, but it is undoubtedly a relic of the days when

the bride was purchased from her parents. In spite of this origin, many lovely interpretations are now given to the ring in the marriage service. There is no reason, however, why only a plain gold band must be used. The marriage ceremony may not be performed on the Sabbath or on holidays. This is due first to the fact that the ceremony is in part a legal transaction and second to the principle that one joy should not be confused with another. It is also not allowed to perform a marriage service on a day of mourning in the Jewish calendar. The reason for this prohibition is obvious. But it is not obvious why marriages should not be performed during the weeks between Pesach and Shabuoth. This custom, still observed by the Orthodox and Conservative Jews, probably also has an alien and superstitious origin, and is disappearing in many parts of America.

V

Income and Expenditures

HOW much must a couple have in order to marry? This is a question that constantly arises in any discussion of marriage and family life. The answer, of course, depends upon the standard of living that the couple means to maintain. It is evident that they cannot marry without income. Even the sages of the Talmud recognize that there must be an economic basis for marriage and family life in their saying: "First build a house and plant a vineyard; then take a wife." Many young people, however, make the mistake of assuming that they need more than is really necessary. No matter what the circumstances of the family out of which the young man or the young woman comes, it is well for the young couple to start their married life in the simplest manner. Some young women seem to think that they must begin where their parents leave off. This is not always the fault of the young woman; it is often the fault of the young woman's mother or father or both, who quite naturally but most unwisely believe that their daughter should have everything not only that she needs but they desire for her. Unless the young couple begin their married life in a simple manner they will miss the

joy of building up their life and their home together. No greater happiness can come to them than to look back over five or ten years of marriage and be able to say to each other: This is the work of our own hands; this home in which we dwell we have created out of our own efforts and our own industry. Parents have no right to rob their children of the happiness that can come only through creating and fashioning the life that is to be their own.

Suppose the young man, however, cannot earn sufficient to maintain a wife and himself, what then? This is not in these days an uncommon problem. If the young woman is engaged in some gainful occupation there can be no reasonable objection to the young people pooling their earnings and making their joint income the basis of their marriage. It is much better that they should marry on the basis of a joint income and enjoy the happiness of comradeship than that they should live apart and suffer all that separation implies. It will be necessary of course for the couple to postpone the coming of children, and the danger is that the children will be postponed from year to year. Against this danger the couple must not only be cautioned but seriously warned. Should the young woman be unable to engage in any gainful occupation, or should the joint income of the couple be insufficient to maintain them in marriage, there can be no reasonable objection to one or both families of the couple assisting the young people

to establish themselves. In fact there is every reason why the families should undertake to further the welfare of their children. In Jewish life there is the long tradition of the dowry. Not only have parents arranged to provide a dowry for the daughter, but Jewish communities have provided a dowry for young Jewish girls who otherwise could not marry. Not only should families feel a responsibility for the marriage of their children but they should be especially helpful in time of strain and trouble. They would not go too far if they would even make it possible for the young woman to take a maternity leave in order that children may not be postponed for too many years. The assistance that families give, however, should be given in such a way as to maintain the independence and self-respect of both the young man and the young woman.

No matter what the source or sources of income, it is important for both the bride and the bridegroom to learn from the very beginning the meaning of the budget. The items that enter into a family budget are not the same for all groups nor for all sections of the country nor even for all sections of the city. It is evident that we must now include within the budget many more items than we did a generation or two ago. To food, shelter and clothing we must now add the items of dental and medical care, education, recreation, insurance and savings. All these are now considered legitimate in a family budget. How much is

needed for each item and the percentage of the total income that should be set aside for rent, food, clothing and other items depends in part upon the desires of the husband and wife and children. But no matter what the percentage is that they agree upon they should all agree upon this, namely, that there shall be no waste and no extravagance and that the best shall be bought for whatever they can afford to spend. Consumers' Services will be of great assistance to every young couple and to every family, that is, if these services will be consulted. It is amazing to learn how very little some women and most men know about the simplest things that enter into the life of a household. They do not even attempt to acquaint themselves with the different kinds of food, the different brands on the market and the nutritive value of each. The result is they do not know how to buy and are at the mercy of every merchant. They should also be on their guard against the delusions of advertisements, and especially on their guard against the snare of installment buying. If families, and young people particularly, were to buy only what they can afford to pay for there would be less anxiety and discord in many a home and much more genuine satisfaction with real achievement.

The most serious problem that the great mass of young people face in their economic life, however, is not a misunderstanding of the budget but the discrepancy between available income and a

reasonable standard of living. For the greater part of the population the income is too low and the cost of living is too high. To say that one-third of the nation is ill-fed, ill-housed and ill-clothed is to understate the case. Even in 1929, at the very crest of prosperity, the National Bureau of Economic Research estimated that fully 80% of those gainfully occupied received an income less than was necessary to maintain them upon a decent standard of living, the standard established by the Bureau of Labor Statistics of the Federal Government. The testimony recently presented by Dr. Isidor Lubin to committees of Congress proves that about two-thirds of the families in America are receiving less than is necessary to maintain them upon a normal level of life, and that fully one-third have an income so low that it condemns them to a state of destitution.

This is not a problem that young people themselves or any family can solve. It is a problem that society itself must solve through a radical redistribution of the national income and a radical revision of the social system. In an age of economic surplus there is no excuse whatever for economic hardship and suffering. We have today all the material resources, all the machinery, all the money that is necessary out of which to create an economic order that would make it possible for every man and woman who is willing and able to work to be employed; and that would maintain an economic order that would provide an adequate

annual income for every family living in America. This is the only answer to the questions we face in discussing marriage with every audience: How can we marry without employment and with no income? How can we maintain ourselves and rear children when our income is so low and our economic insecurity so great? In time those who suffer economic injustice will establish a social system that will be economically just and right.

VI

Health and Heredity

FOR centuries the Jewish people have been concerned about health in marriage; and they have also been aware of eugenic trends and the hazards of poor heredity. According to ancient Jewish law the insane, the imbecile and the sexually maimed or defective are not allowed to enter into marriage. The Talmud also forbids one to marry into families that are known to be afflicted with leprosy and epilepsy. These two general terms were probably used to cover a number of physical and mental diseases that are now more fully understood and more accurately diagnosed. The laws against consanguineous marriages in the Bible and the extension of these laws in the Talmud, that is, the prohibitions against the marriage of those related by blood, whatever their origin, were interpreted to mean that close inbreeding leads to family and racial deterioration. The Talmudic caution: "Woe unto him who defiles the purity of his family," probably is a warning against the dangers of inheritable defects and disease. Even those born of incest or adultery are not allowed to enter into marriage with an Israelite. These prohibitions and many others that could be cited from

both legislation and the lore of the Jewish people prove that we have always understood something of the importance of health in connection with marriage, and the necessity of safeguarding children against defectiveness and transmissible disease. We should, therefore, be among the first to appreciate and to adopt the program of eugenics and health developing in our own day.

That men and women are awakening to the real significance of the biological factors in marriage is evident from the laws that are now being passed by the states in rapid succession. Within the last few years state after state has passed laws that not only require a premarital health examination of those who apply for a marriage license, but they have also passed laws that require an examination of pregnant women for the presence of syphilis. In the "Journal of Social Hygiene" for June 1939, Bascom Johnson, one of the most competent students of social hygiene legislation, states that, at the time of writing, nineteen states required an examination by a physician of both the bride and the bridegroom, an examination, that is, that includes a blood test for syphilis. Four states required an examination by a physician of the groom only to determine freedom from venereal disease. Seven states prohibited the marriage of persons with venereal disease but did not require an examination. Fourteen states required also a prenatal examination of every pregnant woman in order to protect babies from a syphilitic infection.

These laws have been passed largely as a result of the national crusade against syphilis. But they form a part of our wider movement to advance family welfare and to improve family health. Some states are extending this program and are now experimenting with legislation that is concerned with mental as well as physical disease. One state on the Pacific coast, the State of Oregon, has succeeded, through the referendum, not through the legislature, in passing a law that requires an examination for the presence of insanity, feeblemindedness and epilepsy. Whether this law can be translated into social practice with any degree of effectiveness may be a matter of doubt, but it does express the concern of the people in the matter of marriage and mental disease.

These laws, in the judgment of many students, are socially wise but constitute only the first steps in a larger program. Some ministers who feel a full sense of responsibility for the ceremony they perform require much more than does the law of the state in which they dwell. In some professions, such as teaching, the candidate must pass an examination at the hands of a medical officer and no one is allowed a license who suffers from physical or mental defects. In some corporations also it is now the custom to compel the candidate for every important post to pass an examination at the hands of a competent physician. How much more should we require a full and thorough examination of those who are to live together as husband and wife

and who may become the parents of the children of tomorrow.

For years a number of men in the rabbinate have been accustomed to require of every couple a complete examination by a competent physician. In the examination that we require of couples who come to us the doctor seldom discovers a condition that would prohibit the marriage. But not infrequently he does discover some weakness or impairment that should be corrected or against which the couple should learn to guard themselves. Sometimes the weakness is found in some vital organ, such as the kidneys or the heart. A tragic experience in the early years of one man's ministry taught him how important an examination is. He was invited to marry a lovely young woman to a young dentist who had only recently begun practice. Less than a year after the marriage he was called to bury this young girl with her unborn child. She had suffered with an impairment of the heart, but neither she nor her husband had arranged for a proper examination nor had they exercised any precautions to protect her health.

In the course of our experience we not infrequently meet men and women suffering with conditions that antedate marriage and that unquestionably make marriage difficult if not impossible. I shall never forget a young woman that came to consult me. She was about twenty-four and as she entered my study I could see that she was in great distress. Her face was filled with pain and as she

sat down to speak of her trouble her lips and hands trembled pitifully. "I have just learned," she said, "that my husband is a case of chronic and incurable epilepsy." "How long have you been married?" "Three years." "You knew nothing of this condition before your marriage?" "No, my husband's parents knew but said nothing to me." "And since your marriage?" "My husband has had spells but I thought they were fainting spells. Only today the doctor told me the truth." Then she turned to me with a look of fear and horror: "I am not concerned about myself. I am terribly worried about our little baby. He may be tainted too."

The only comfort I could offer her was to assure her that psychiatrists have discovered that not every case of epilepsy is transmissible. As she left my study she stopped at the door with this question: "Is there not some law that could have spared me and my baby all this suffering?" There is only one way in which young men and women can protect themselves in marriage and safeguard their children; and there is only one way in which the minister can meet his full responsibility in this matter, and that is through a complete examination by a competent physician. A medical examination may not uncover every condition that will interfere with marriage; but it will prevent much of the misery that now mars marriage and that hinders happiness in married life. The least we can do is to assure ourselves that the biological basis is sound and that we are physically and mentally normal.

VII

Common Interests and Comradeship

MARRIAGE unites not two persons, but two personalities. What personality is in essence and what it includes depends it seems upon the school of thought to which we belong. Psychologists are not agreed upon the content of the term. But this we do know, that personality involves certain psychological elements, such as temperament, interests, ambitions, aspirations, dreams,—all the psychical elements that make us both inwardly and outwardly what we are. The role that these psychological factors play in marriage and family life is being stressed more and more in the studies coming from the social laboratories. The records reveal that many conflicts in marriage develop in the area of our psychological life and can readily be traced back to radical differences in temperament or to easily discovered defects in the psychical constitution of one or both the people united in marriage.

A young man and a young woman may be greatly attracted to each other because of certain elements that enter into their personality and still may find that they differ so widely in other ways that it is impossible for them to live together in

harmony. One couple, typical of many, married after an acquaintance of only six weeks. They thought they were in love with each other and to a degree this was true. After three months of married life, however, or less, they discovered that their love for each other was based upon only a small section of each other's personality. Outside of this small section they differed so greatly that constant disagreement was inevitable. They differed in background, in attitude, in outlook on life. Their only hope of adjustment lay in a complete reeducation of both. Whether they can reeducate themselves and readjust themselves to each other only time could determine.

Temperament is one of the elements that men and women should carefully study in themselves and consider in each other. Temperaments are like chemicals. Some come together and merge and produce in their merging something that is new and beautiful. Other chemicals come together and merely create an explosion. A marriage that is filled with conflicts and explosions cannot possess any degree of permanency. The sages of Israel seemed to appreciate this when they uttered the caution: "Let youth and old age not be joined together in marriage lest the purity and peace of domestic life be disturbed." If the husband wishes to sit home and rest and read and the wife wants to spend her time in dancing and exciting adventures the outcome is obvious. The old adage that opposites should marry is without foundation in

psychological facts. In only exceptional cases are they compatible. There is no doubt whatever that some people are temperamentally incompatible and cannot meet without irritation and antagonism developing even against their will. They themselves are not always aware of the fundamental cause of their trouble. It happens again and again that two people will assign as the cause of their conflict some disagreement concerning income or expenditures, or concerning children and relatives, or concerning standards and outlooks upon life. These disagreements do exist but they are all secondary. The primary cause is difference in temperament and all the rest arises out of this difference or aggravates it. It ought not to be necessary for two people to wait until they are married to discover that they are temperamentally unsuited to each other. The trouble is that young people do not seem to understand the importance of temperament as a factor in married life and are misled by the urgency of factors that are of less significance or that are only intermittent in their expression.

In marriage there must also be interests in common. It is not necessary that the husband and wife limit themselves to the same set of interests, that is, that the interests of one be exclusively the interests of the other. Sometimes this is true and it leads to co-operation and comradeship on a high level. This certainly was true of Madame Curie and her husband. Out of their common interest

came their scientific achievements. But it is necessary that there be some vital interest or ambition that the husband and wife share with each other. It may be that the major interest of one is the major interest of the other; it may be that the major interest of one is the minor interest of the other; it may even be that a minor interest of one is a minor interest of the other, that they at least have this in common. This, however, is certain: If there be no interests of importance in common there is no basis on which to build up a comradeship that is one of the essential factors in a happy married life. Not infrequently the husband complains: My wife is not interested in a thing I do. Or the woman weeps: My husband is not interested in a thing that interests me. The danger here is that the two may drift apart and that one or the other or both will find someone else who is interested. Not only must the husband and wife have interests in common, whether these interests be in art or science, in literature or religion, in industry or agriculture, but they must cultivate these interests as they would cultivate a garden that they want to see grow and blossom and fill the air with fragrance and beauty. The mistake that some young people make and older people also is that they assume that interests grow of their own accord. Sometimes they decline and die through just indifference and disuse.

We may think of men and women, to use an

Emersonian symbol, in terms of circles. Here is the circle of the man, in which he lives and moves and has his being. Here is the circle of the woman, in which she lives and moves and has her being. In marriage these two circles must not only touch at the circumference, they must intercept. The greater the degree of interception the broader the base upon which comradeship and community of aspiration can be built. In the rare and classic instances the two circles not only intercept, they coincide and coalesce. This was transcendently true in the life of Elizabeth Barrett and Robert Browning. Here are two great poets, two great personalities, two great spiritual natures, meeting in a union so complete and perfect that their married life becomes a symbol of supreme romance. This is why Elizabeth Barrett could feel and speak of Robert Browning as she did in the exquisite "Sonnets from the Portuguese":

> The face of all the world is changed, I think,
> Since first I heard the footsteps of thy soul
> Move still, oh, still, beside me, as they stole
> Betwixt me and the dreadful outer brink
> Of obvious death, where I, who thought to sink,
> Was caught up into love, and taught the whole
> Of life in a new rhythm.

This was why Robert Browning could address his wife as he did in "One Word More," the rarest of all his poems:

Love, you saw me gather men and women,
Live or dead or fashioned by my fancy,
Enter each and all, and use their service,
Speak from every mouth,—the speech, a poem.
Let me speak this once in my true person,
Not as Lippo, Roland, or Andrea,
Though the fruit of speech be just this sentence:
Pray you, look on these my men and women,
Take and keep my fifty poems finished;
Where my heart lies, let my brain lie also!
Poor the speech; be how I speak, for all things.

VIII

Truth and Trust

EVEN more important than the biological, the psychological, the economic and the legal, is the ethical basis of marriage. Ethics, according to Jewish teaching, is the foundation on which all life must be built. The world, the sages tell us, rests upon three things: truth, justice, peace. The Hebrew word for truth, *Emet,* is composed of three letters: *aleph,* the first letter of the Hebrew alphabet, *mem,* the middle letter of the alphabet, and *tov,* the last letter of the alphabet. Why, asked the rabbis, is the word for truth composed of just these three letters? It must have some special significance and lesson for men. The word for truth is composed of these three letters, they tell us, the first, the middle and the last letter of the alphabet, in order to teach men that truth is the beginning, the center and the end of all things. In no circle of life is this so true as in marriage and the family. The highest law that husband and wife, parents and children, must learn is to live with each other in a spirit of utter frankness and sincerity and truth. Just as soon as men and women begin to conceal from each other those things that each has a right to know, they at once build up

barriers that shut them out from each other's life. Just as soon as husband and wife or parents and children begin to deceive each other, even in little things, they seriously damage the relationship that should unite and enfold the family circle. Husband and wife, parents and children, may and will differ in many matters; they may even clash upon important questions; but they cannot afford to conceal the truth from each other nor can they practice deception without violating the very sanctity of their relationship.

It is both surprising and distressing to learn how often men and women forget this lesson, even in minor matters. Some women that we meet do not know what the husband actually possesses; and some women do not know even what the husband's income is from week to week or month to month. Only accident or death reveals to the woman what she should have known from the beginning about her husband's affairs. This occurs more frequently than many men and women are ready to admit. The same thing is true of children and parents. Children often know too little about family affairs. This is not always the fault of the children; it is often the fault of the parents who unwisely conceal from their children what their children have every right to know. The truth is children resent this attempt to keep them in ignorance, they resent it even more than parents understand. Some parents complain that their children do not confide in them, that friends and teachers know more about

what their children think and do than the parents themselves. This is true. The real trouble is, however, that parents do not confide in their children as husband and wife do not confide in each other. If the husband and wife and parents and children want to establish a family relationship that is harmonious and happy and intimate they must learn to confide in each other in all things that are important in their life, both within and without the home. Deception will inevitably lead to distrust and dissension. The happiest homes we know are the homes in which the members of the family meet each other in a spirit of courtesy, confidence and trust. The most unhappy homes are the homes from which this spirit has fled.

One of the most discouraging moments in a minister's life is when a woman comes to tell her story of disappointment and pain and ends the interview with the remark: You know I could not talk to my husband as freely as I have talked to you. Or when a man comes to consult us about the unhappiness in his married life and then concludes with the statement: You know I could not speak to my wife as frankly as I have spoken to you. Why not? What has occurred, we wonder, that makes it impossible for these two people to discuss their own problems with each other in freedom and frankness? Marriage means an intimacy of the mind and the spirit even more than of the flesh. It may be that even before marriage these two people did not speak the truth to each other.

Men and women should learn before they marry whether they understand each other, whether they speak the same language, whether they believe in the same standards of conduct, whether they share the same ideals in life, whether they can or cannot confide fully in each other. Or it may be that these two people have lost faith in each other's integrity. Love bears and forgives much; but it is difficult for the love-relationship to excuse concealment or to pardon deception. No act of this character is ever isolated. It is like a little bag of poison dropped into a well of water. The bag sinks to the bottom and the ripples smooth out on the surface. But the poison oozes out of the bag and taints every drop of water in the well of life. Until the poison is removed and the waters purified there is no hope of restoring the marriage of these two people to a wholesome and happy state. This is a hard lesson to learn but there is no other solution.

If husband and wife and parents and children would cultivate the habit of confiding in each other and of discussing the affairs of the family in family conference many mistakes would be avoided and many tragedies would be prevented. Men may think that they are being kind to their wives and children in keeping trouble from them. But there is no woman who wants to be spared in this way. Every woman feels that she wants to share in her husband's life and that she is entitled to know the changes that take place in his affairs. Children

as they grow up are of the same mind and are more than eager to share in the responsibilities and burdens of family affairs.

During the last decade, ever since the collapse in 1929, men from time to time have attempted to end their own lives. They have done this in the belief that their family would be better off with their insurance than with them. In not one instance within our experience has the family accepted the man's decision. In every home to which this tragedy has come there we have found not only grief but the constantly repeated question: Why did he do it? Why did my husband not consult me? Why did our father not try to find out whether we wanted him or his insurance? These men failed to realize that when a man is married and when he has children his life does not belong to him to do with as he pleases. There is one word to add. In not one instance in which this tragedy has occurred have we discovered that it was the custom of the husband to confide in his wife and to consult his wife and children concerning the problems that he had to face from day to day. Men who learn to consult and to confide in their family discover two things: One that the wife and children frequently can help them in the solution of their problems; and two, that sharing troubles lightens the burden and makes the road seem less rough.

IX

Chastity and Fidelity

THE structure of the family changes with time and place. This is one of the interesting facts that a historical and sociological study of the family reveals. In Thibet it is still a common practice for a woman to have more than one husband. In the East it is still legal for a man to have more than one wife. In some societies it is still permissible for a man to have a concubine as well as a wife; and even today in some Western countries the mistress is an accepted social convention. In Biblical literature there are many illustrations of different family structures. Abraham has Sarah as his wife, and in addition his wife's handmaid, Hagar, as his concubine. Isaac has only one wife and no concubine. Jacob marries both Leah and Rachel, two sisters, and in addition their handmaids become his concubines. The children of both wives and concubines enjoyed an equal legal status in family life.

Polygamy was not legally banished from Jewish life until the eleventh century when Rabbi Gershon, of Mayence, issued a decree outlawing polygamy under the penalty of excommunication. This was accepted by all European countries. In

the Orient, in Northern Africa, in the Levant, and even in Spain the custom still continued, but in isolated instances rather than as a general practice. This much must be recognized as a historical fact; but this is by no means the whole story. On the contrary, from the earliest days both the principle and the practice of monogamy and fidelity in marriage have prevailed in Israel. We have not adopted monogamy, as some have claimed, from other peoples or other groups; it has been an indigenous part of our program of life from the very beginning.

In the story of the Garden of Eden, a miniature ideal social state and the first Utopia, God creates only one man and only one woman to be his wife. This is a remarkable ideal to have come out of a period and a civilization that was widely polygamous in character. In the early literature of every other Oriental people the first beings, gods, demigods or men, are pictured with many wives. The Paradise of the Eastern imagination, in Babylonia, Assyria, Egypt and especially Arabia, is a place in which the man is surrounded by his harem of women. This is not true of the early literature of Israel nor of later writings. In the thirty-first chapter of Proverbs the poet portrays the ideal wife—not wives—the woman of worth. The woman who looketh well to the ways of her household and eateth not of the bread of idleness; who openeth her mouth with wisdom and the law of loving

kindness is on her tongue; whose children rise up and call her blessed and her husband also praiseth her. Even in the Song of Songs, the longest love poem in the Bible and one of the classic love lyrics in all literature, there is not the slightest suggestion of the lover's association with more than one woman. In the Talmudic period the same social practice of family morality prevails. Jewish scholars have pointed out a number of times that throughout the Talmud, that covers nearly a millennium of Israel's life, there is not a single teacher either in Babylon or in Palestine who has more than one wife, though theoretical discussions about the law in case one has more than one wife are to be found in the Talmud. In fact, the entire domestic relations law of the Talmud as well as the codes of the Middle Ages and modern times rest upon the assumption of monogamy as the current social practice.

Monogamy, as we have come to understand it, means more than that a man shall have one wife and a wife shall have only one husband. It means no extra-matrimonial alliances. Unchastity and infidelity are constantly stressed in Jewish teachings as serious sins. In the very earliest code the Seventh Commandment condemns adultery and subsequent legislation provides capital punishment. Again and again the Prophets and later teachers emphasize the evil of unfaithfulness and the dangers of the "strange woman."

The lips of a strange woman drop honey, and her
mouth is smoother than oil;
But her end is bitter as wormwood, and sharper
than a two-edged sword;
Her feet go down to death, and her steps lead
directly into Hell.

In our day there is still need to speak of these evils and to speak plainly. During the last twenty years we have suffered an ethical as well as an economic and political collapse. Men and women are still discussing, though not to the degree they did ten or fifteen years ago, pre-marital experiments and extra-matrimonial associations. One would think from many of these discussions that we had not yet emerged from the South Sea Island stage of social development. In spite of these discussions and the writings of some men and women on marriage and morals, pre-marital experiments, it should be evident, can teach young people nothing important about marriage. These "experiments" are all upon the biological level, and marriage, as one fine young woman put it correctly, is much more than a biological matter. It should also be evident that associations outside of the marriage bond never fail to introduce into marriage itself suspicion, deception, dissension, complications and conflicts that make marriage in any real sense impossible. No matter how liberal men and women may think they are in theory, in reality they are emotionally limited and utterly unable to share the one they love with another person. Al-

most anyone who has listened to the confessions of husbands and wives—lawyer, doctor or minister—must come to the conclusion that human experience itself proves both the value and the validity of monogamy.

It may be difficult for young men and women to live through the years between puberty and marriage, but they must not be misled by misinformation and unsound teachers. There is no evidence whatever to prove that continence is harmful to either our physical or psychical life. This is the testimony of the ablest physicians and the wisest psychiatrists. The impulse and energies generated within the human body can be directed into many forms of activity, and there is something worth while in living in accordance with the high standards of self-respect and honor. In *Ivanhoe* there is a dramatic scene that is unforgettable. Rebecca poised upon the parapet of the castle ready to hurl herself to death rather than to suffer dishonor is a true picture of Jewish womanhood. This is the ideal for which the men of Israel have striven, and for which the daughters of Israel have died. This no young Jewish man or woman should fail to remember.

It may also be difficult for some men and women who are married to maintain the integrity of their marriage throughout the years. But it will be less difficult if they keep in mind the fact that self-control counts for much in the development of character and that the desecration of marriage

means not only unhappiness within the home but a danger to every circle of activity without. Marriage is not a compartment of life that can be set aside from all other sections of our daily conduct. It is the very center of our life and what happens in marriage inevitably influences our conduct at every other point. In every instance of infidelity of either the man or the woman, and there can be, according to Jewish teaching, but one moral code for both, there is repeated the same pitiful complaint: This trouble means not only suffering for me; it makes it impossible for me to do my work as my work should be done. Infidelity, in other words, is something more than a physical indiscretion; it means mental distraction and moral disintegration.

X

Birth Control

IN the first chapter of the Bible God commands Adam and Eve: "Be fruitful and multiply." The command is repeated in the Story of the Flood when, after their escape, Noah and his family are also commanded to be fruitful and multiply and replenish the earth. This command contained in the early stories of the Bible, the Story of Creation and the Story of the Flood, has governed Jewish family life up to recent days. Professor J. Z. Lauterbach, however, in studying this subject, has discovered that even in Orthodox Jewish law there are a number of exceptions. In other words, there are cases in which a limitation is placed upon conception and the birth of children. In 1930 the Central Conference of American Rabbis, after careful consideration of all the implications, passed the following resolution:

"We recognize the need of exercising great caution in dealing with the delicate problem of birth regulation in view of the widespread disregard of the old sanctions affecting the institution of marriage and of the family. We earnestly desire to guard against playing into the hands of those who would undermine the sanctity of these time-honored institutions through reckless notions and

practices. We are especially mindful of the noble tradition obtaining among the Jewish people with respect to the holiness of domestic relations. But, at the same time, we are keenly aware of the many serious evils caused by a lack of birth regulation among those who by reason of lack of health or of a reasonable measure of economic resources or of intelligence or all of these, are prevented from giving to their children that worthy heritage to which all children are entitled. We, therefore, urge the recognition of the importance of intelligent birth regulation as one of the methods of coping with social problems."

In passing this resolution the rabbis believed that they were expressing not only the belief and practice of the congregations to which they minister but the approval of a program that will advance family welfare.

The arguments against birth control can be summarized in a few sentences. Birth control, it is urged, leads to race suicide; it desecrates married life; it is contrary to the law of the state; it is a violation of the law of God. These arguments it is not difficult to answer. It is true that since the adoption of the birth control program the birth rate in every civilized country has dropped rapidly; but so has the death rate. The population is not composed of those who are born but of those who survive; and there is still a margin between births and deaths that should remove all fear of race suicide. The charge that birth control is a desecration of marriage has never been proved.

There is no evidence whatever to show that the standards of life in families in which birth control is an acknowledged procedure are lower than in families with an unchecked birth rate. The sanctity of marriage does not depend upon conception or contraception but upon the spirit of consecration with which men and women enter the marriage bond. The statement that birth control violates the law of the state is based upon a number of laws that were passed sixty-five or seventy years ago. These laws no longer express the social theory and social morality of the majority of the people. In addition to this the Circuit Court of Appeals has declared legal the birth control program approved and supported by the leading birth control advocates, including Margaret Sanger, and the leading birth control organizations, including the Birth Control Federation of America. The argument that birth control is a violation of the law of God is based upon the command quoted from the myths in the earlier chapters of the Bible. Science teaches us, however, that the lower down we go in the scale of evolution the less restriction there is upon the reproductive process; and the higher we rise the more restraint appears from stage to stage. In other words, through birth control or contraception we are given sight and intelligence to what in nature is a blind and groping instinct.

The arguments in favor of birth control are also easily summarized. In the first place, limiting the number of children reduces infant and child mor-

tality. It has been definitely established that the death rate of children in large families is twice the death rate of children in small families. In the second place, birth control undoubtedly conserves the health of mothers. Too many and too frequent confinements undermine the health of women and lead to invalidism and premature death. Women know this and resort even to abortion in order to prevent the birth of an unwanted child. Mothers have a right to grow up with their children and in order to protect their health they must intelligently space and limit the number of children in the family.

In the third place, birth control undoubtedly often saves families from unnecessary social decline and the increase of suffering. Social workers will testify to the fact that family after family is in distress solely as a result of too many children, that is, the number of children exceeds the earning capacity of the father to adequately provide them with what children need. Over 250,000 children are born every year into families now living in a state of destitution. This is not fair to the child nor to the family nor to society. In the fourth place, it is important to remember the relationship of birth control to unemployment. One hundred and forty years ago Malthus called our attention to the pressure of population upon the food supply. Today it is important to consider the pressure of the working population upon the job supply. Invention, mass-

machinery, scientific management, are throwing millions of men out of employment. There is no social wisdom in bringing one hundred and fifty potential workers into the world when there are only one hundred jobs in prospect. The final argument is that birth control removes one of the excuses, if not one of the causes, of famine, plague and war, namely, over-population. Over-population is an evil that can be ended only through the program of birth control.

The question naturally arises: How many children should a couple have? The number of children in every family depends upon three things: First, upon the health of the parents and especially upon the health of the mother; second, upon the ability of the parents, economic and educational, to rear children as children should be reared today; third, the social needs of the group or country of which the family is a part. Students of population are still undecided as to the number of men and women that should live within any given geographical area. But upon one thing all students are agreed, namely, that it is socially disadvantageous to increase the population at the expense of reasonable standards of living. It is much more important to improve the quality of men and women than to increase the number.

All advocates of birth control emphasize the importance of increasing the number of children in families of high quality. This increase depends, however, more upon income than upon any other

factor. There are millions of young couples in America today with one or two children who deeply desire another child, but who are unwilling to increase the number of their children as long as they are condemned to a low income. This is true of both the general and the Jewish population. It is necessary to add that birth control advocates do not approve of indiscriminate and promiscuous methods of contraception. They insist upon the scientific instruction of the married or those about to be married. This scientific instruction can be given only by a competent physician who is thoroughly acquainted with the methods of contraception. Contraception, in other words, needs to be prescribed for every couple. The best time to secure this instruction is during the premarital examination of both the man and the woman.

XI

Education, Training, Discipline

EDUCATION is an age-old tradition in Israel. Our educational system goes back fully two thousand years and includes instruction not only in the classroom but in the home. It is the duty of fathers and mothers to teach their children what children need to know: "These words which I command thee this day shall be upon thy heart. Thou shalt teach them diligently unto thy children. Thou shalt speak of them when thou sittest in thy house, when thou walkest by the way, when thou liest down and when thou risest up." This passage from the Book of Deuteronomy is included in the daily prayers and constantly reminds the Jewish parent of his educational obligations. The words, written nearly three thousand years ago, have been repeated from generation to generation and they are as much needed in our own day as they were when first composed.

The program of education, it must also be remembered, includes education not only for children but for youth and for adults as well. Adult education is not new to the Jewish people. Every Jew, no matter how old, finds a joy in study. The curriculum, it is also important to emphasize,

included more than the language, the literature, the history, and the religion of Israel. Each one of these is important. But it is also important, as the sages emphasize, to teach every child a trade. Vocational education and vocational training is an integral part of preparation for mature living. Every child must be equipped with the means of maintaining himself or herself in a spirit of self-respect. It is the duty of every parent not only to give the child the best available education, but to prepare the child for a vocation that will mean self-reliance and independence.

For what vocation, however, shall the child be trained? This is one of the questions that every parent faces, especially in these days of limited opportunities. The first step is to follow the counsel contained in the verse from Proverbs: "Train the child in accordance with his nature." Many parents make the mistake of selecting the vocation or deciding upon the career for a child without any careful study of the child's own talents, capacities, powers or desires. Not every Jewish child is predestined to be a doctor or lawyer or teacher or rabbi; it is not foreordained that every first born son shall enter one of the professions. Many a boy has been coerced by his family into a career for which he is eminently unsuited. The second step is to discover as far as possible those fields in which the opportunities are not diminishing but are developing.

Studies are now being made by both private and

public agencies to determine occupational trends in agriculture, industry, commerce, public service and the professions. Some occupations, it is evident, are contracting; others are expanding; and new occupations are opening in many fields. It is not always possible for even the most expert psychologist or the ablest authority in vocational guidance to advise a boy or girl what field to enter; but it is possible in almost every instance to advise the boy or girl what fields not to consider. The counsel will depend of course upon the endowments of the child and the occupational outlook. The outlook today, at best, is not encouraging. Over ten million men and women are now out of work in the United States, in spite of all efforts to solve the unemployment problem. All the more reason for the expert vocational guidance and training of the youth of today and tomorrow.

There is some danger in these days that parents will delegate all education to the school and forget that much education not only should but does take place in the home. This is especially true during the early and most plastic years of childhood. Educators are generally of the opinion that the whole trend of the child's life is determined during the first six or seven years. It was as a result of this realization that the child study movement began some fifty years ago and developed into the movement of parent education that is now well-established in many parts of the country and in every community in which there is a progressive

educational program. Parents need time in which to educate themselves for parenthood. But it is necessary to remind the Jewish parent that education of mother and father must include more than education in the physical care of the child and even in the mental and emotional development of the boy and girl. "Thou shalt speak of them when thou sittest in thy house." This means that the parent must also equip himself with a knowledge of Jewish history, Jewish literature, Jewish religion, and the culture of the people of Israel. How else is it possible for parents to teach their children and to become their comrades in the family enterprise of education?

Education in the home implies something more than formal instruction. Children can be educated even more advantageously through conversation and discussion of topics around the dinner table or during the evening hour. It is also important for parents to remember that one of the most effective instruments of education is the very atmosphere created in the home. If the atmosphere is tainted with indifference or ignorance children breathe this in and it enters into their life. If the atmosphere is poisoned with irritation and low standards of conduct children also breathe in this atmosphere and are influenced in their growth. The child records in his own psychical constitution the environment in which he grows as truly as does the plant or the tree. Some irresponsible and wayward children come out of good homes;

their difficulty arises from defects in their own mental, emotional or ethical make-up; but the home in which goodness and peace prevail usually produces a good and well-poised child.

Another matter that must be stressed is the discipline of impulses and emotions. Conduct, it is now recognized, especially in children, is much more an expression of impulse and emotions than it is of ideas. Some emotions must be curbed and others must be cultivated if the child is to develop into a social human being. Discipline, however, does not mean suppression. Suppression is always dangerous. Thoughts and feelings that are suppressed by the constant and arbitrary exercise of authority are likely to run into subterranean channels. There they may take dark and dangerous forms and break out in tantrums and neurotic explosions. This method of education and training is most unwise and is condemned by progressive educational principles.

On the other hand, self-expression, an educational doctrine current during the last decade, is also dangerous. Uncontrolled expression of impulses and emotions and even of ideas is not liberty but uncurbed license. This leads to anarchy in the individual as it does in all social relationships. It gives the child an exaggerated notion of the importance of his own thoughts and feelings even on the lowest level and makes the child an insufferable companion as well as an irresponsible member of society. We discipline the muscles from the very

beginning. The child is taught to crawl, to walk, to put on its shoes, to dress itself,—which means that the child is taught how to co-ordinate and to control. Parents do not suppress the muscle life of the child nor do they leave the child to muscle self-expression. The child is also taught discipline of the mind. Education means not merely an accumulation of knowledge but the training and discipline of mental powers. The child is not taught to suppress its mental life nor to give way to erratic mental self-expression. The child is taught how to develop mental processes and to use the instrument of the mind. It is just as important to discipline impulses and emotions as it is to discipline the mind and the muscles. These energies and moving forces within our life must be directed in accordance with the standards and principles and ideals of our people. This is the meaning of discipline in Jewish life.

XII

The Organization of the Family

LIKE all social institutions the family changes in form of organization as well as in structure. At one time the family was organized in such a manner that the mother was in control. This was known as the matriarchal type of organization; and this type of organization with the mother as the matriarch is still found in some social groups, such as the Basques, and in some families in every social group. At another time the family was so organized as to place the father in command. This was known as the patriarchal type of organization; and this type persists in many parts of the world and in many groups and especially in the Jewish group down to our own day.

At the present time the family is passing through another change and taking on a new form. It seemed at first as if the patriarchal type of organization was disintegrating and the family lapsing into an anarchical type in which each individual became a law unto himself. This anarchical episode has now expended itself and it is evident that the family is reorganizing under the spell of the democratic spirit. In other words, we are democratizing the family just as we have

democratized our political order and as we are attempting to democratize our economic system. This means a readjustment of relationships and a radical change in the status of the husband, the wife and the child. It is important to recognize this fact for unless the family is thoroughly democratized it cannot serve as a means of developing its members for a democratic type of social organization. An autocratic family organization cannot train children for a democratic society.

The failure to recognize the change that is taking place, namely, that the family is being democratized, results in many conflicts. These conflicts are not merely disagreements between parents and children. They are inevitable clashes between one form of family organization and another. If in these days the husband insists upon exercising arbitrary control over his wife the almost inevitable outcome is strife and struggle. Women are not only politically emancipated, they are spiritually enfranchised and insist upon equality in family life as well as in politics. If a father or mother insists upon absolute obedience on the part of the children in accordance with the patriarchal or matriarchal form of organization they will only arouse rebellion. Children as they grow older also come into possession of an equalitarian status and are entitled to discuss their problems with their parents in a spirit of comradeship.

The democratic form of family organization does not mean submission of one to the other, but

the surrender of each to a program that is greater than all. This form of organization in family life leaves room for the development of individual capacities, powers and personality. Dictatorship in family life is as dangerous as dictatorship in politics. It is only through the democratic development of the family spirit, through the sharing of responsibilities that mother and father and children learn to share also the hardships and hazards as well as the happiness in family life, the burdens as well as the blessings. If we are to democratize our family organization we must remember that democracy means freedom of discussion, common counsel and joint responsibility.

Democracy in family organization means that each member of the family shall have a voice in family affairs and in determining family development. This includes income and expenditures as well as the management of the home and the education of children. Women have reached the point where they resent receiving an allowance on Monday morning for the household and personal expenses, an allowance that is fixed by the husband without consultation with his wife. The best plan is to recognize that marriage is essentially a common enterprise and that there should, therefore, be a joint bank account or family fund upon which the wife and the husband may draw. A recognition of this fact and an acceptance of this plan will avoid many a dispute and prevent many a misunderstanding. This form of family organization also

means that the husband and the father must share in the responsibility of furnishing the home and developing the children. Many women rightly complain that the father is not sufficiently interested in the way in which the home is furnished and the way in which the children are educated. They are willing to leave too much to the wife and mother. And there is a danger that because of leisure time and opportunity for study the woman may assume more responsibility than is wise. As the children grow older it is also important that they be introduced as rapidly as possible into the affairs of the family and be charged with increasing responsibility. Children not only welcome the confidence and responsibility their parents give them, but rightly resent any attempt to exclude them from family councils. Child after child complains: My parents do not take me into the circle. I am a part of the family and I ought to know what is taking place and I ought to be given a chance to express my own opinion. Parents may sometimes be surprised to discover that wisdom does come out of the mouth of babes and that wise counsel comes out of the unspoiled mind of the child.

This teaching of the equality of man and woman, of husband and wife, is not new in Jewish thought and life. It is true that in one of the morning benedictions the man praises God that he has not been created a heathen, a bondsman or a woman. This benediction undoubtedly goes back

to the time when the woman occupied a lower status in the law and in the ritual of religion than the man. But it is interesting to note, as Israel Abrahams points out, that this benediction in the prayer book "has been constantly explained by Jewish authorities as due, not to pride in superior privilege but to gratitude for higher obligations." In fact, the Hebrew phrase in the creation story generally translated "helpmate" literally and actually means "a help corresponding to or equal to him." In the lore of Israel there is a lovely story that emphasizes this position that woman holds in Jewish life as wife and mother. Why, ask the rabbis, did God create woman out of the rib of the man? Why not some other bone? Their answer is characteristic of their own teaching and of the spirit of Judaism. If God had created woman out of a bone from the head, woman would have regarded herself as superior to man. If God had created woman out of a bone from the foot, man would have looked upon woman as beneath him. God, therefore, created woman out of the rib in order to teach us that man and woman are equal in status as husband and wife. The place that woman truly occupies in the Jewish home is clearly revealed in many of the sentences of the Talmud that have become a part of the proverbs of our people. "A man's home means his wife." "Let a man be careful to honor his wife, for to her alone he owes all the blessings of his house." "Love your wife like yourself; honor her more than yourself;

you will then see the fulfilment of the promise: 'And thou shalt know that there is peace in thy tent.'" "A husband's death is felt by none as by his wife. A wife's death is felt by none as by her husband." "The whole world is darkened for the man whose wife dies in his lifetime."

XIII

Intermarriage

INTERMARRIAGE is not a simple subject. It means the marriage of two people, one of whom comes from one group and one of whom comes from another. These groups may be racial, religious, national, or even social in character and status. At the present time few facts are known about intermarriages. Not even the statistics of intermarriage are available. No scientific study has thus far been made to determine the outcome in a group of intermarriages as compared with the outcome in a group of marriages between people of the same race, religion, nationality or social class. It is difficult moreover to discuss this question without bias, for either prejudice on the one hand or pride on the other color and cloud the discussion.

The attitude of the Jewish people in regard to intermarriage has not always been the same. Ezra, upon the return of a group of exiles from Babylonia to Palestine, commanded the Jewish men to dismiss at once their alien wives. The Book of Ruth, written some time later, takes an entirely different position. Ruth, a member of the people of Moab, the traditional enemy of Israel, is not only made the lovely heroine of this romance but

the ancestress of David. In the Middle Ages religious persecution swept like a consuming fire over the continent of Europe and resulted inevitably in fear and hostility and hatred. Intermarriage with a group that persecuted and massacred the Jewish people is condemned as treason and regarded as a tragedy. In modern days intermarriage increases with political emancipation, intermingling of culture, spread of tolerance and growth of fellowship. Many teachers of the last and present generation, however, have regarded intermarriage as a grave danger to the integrity of Jewish life and the preservation of the Jewish people.

Thirty years ago the Central Conference of American Rabbis considered this problem carefully and after long discussion passed the following resolution: "The Central Conference of American Rabbis declares that mixed marriages are contrary to the tradition of the Jewish religion and should, therefore, be discouraged by the American Rabbinate." This resolution was not based upon any biological evidence against intermarriage, for no such evidence exists even today. Social scientists, in truth, are inclined to believe that the intermarriage of races especially strengthens rather than weakens the racial stock. The mongrels that come out of mixed marriages are due not to the mixture of races, but to the low type of representatives of either one or both of the racial groups. Wherever intermarriage has occurred be-

tween highly developed representatives of different races the children have been of superior quality.

The resolution of the Conference, therefore, was based upon other grounds. One was the fact that the Jewish people constitute a minority in every country and must, therefore, not weaken themselves through intermarriage for intermarriage means one of two things: Either the loss of Jewish men and women to other groups; or the introduction into the Jewish group of alien elements. This point of view has grown more intense during the last years owing to the spread of the nationalistic spirit among the Jewish people. The culture of the people must be maintained intact and this cannot be accomplished if alien elements are allowed to enter into Jewish life. The people can realize their destiny, according to this point of view, only if all the people are of one culture and of the same nationalistic conviction. This attitude, it must be emphasized, is not the result of prejudice against other groups. It is rather the outcome of group consciousness and the nationalistic spirit.

The other ground upon which the resolution is based is for many more important, namely, the psychological factors and consequences. Here is a man who comes out of one racial, religious or national culture, with one form of education, with one type of psychical constitution, with one outlook upon life and life's problems. Here is a woman who comes out of another racial, religious or national culture, with another form of educa-

tion, with another type of psychical constitution, with another outlook upon life and life's problems. Is it possible for these two people to come together and to establish that oneness of comradeship and kinship of spirit that is the very essence of marriage?

There are instances no doubt where it has been accomplished either because group loyalties and group relationships are weakened or because the love of the two for each other is so great that it burns down all barriers and destroys all differences. These instances, however, are rare even in the experience of those who have lived longest. Differences that are deeply rooted in human nature, relationships that are the result of a lifetime of association, loyalties that are cultivated in the course of years are not easy to overcome and constitute, to say the least, a hazard to happiness in married life. It is because men in the ministry recognize the reality of these facts, that even liberal-minded men discountenance intermarriage and insist that both the man and the woman must agree in so important and fundamental a matter as race or religion or nationality. Even Ruth, in the loveliest passage of this lovely pastoral idyll says to Naomi: "Whither thou goest I will go; where thou lodgest I will lodge, thy people shall be my people and thy God my God."

It must also not be forgotten that intermarriage involves more than the husband and the wife; it involves two other factors that cannot be dismissed

beyond the boundaries of human relationships, namely, the families of the couple and the children that may issue from the marriage. It is extremely difficult, if not impossible, for a young man and especially for a young woman, to separate herself from the family of which she has so long been a part. Hours come, hours of sickness, of sorrow, of trial, of joy, when the young man and even more the young woman wants the members of her family near. Even if the family themselves do not clash and cause disturbance and suffering there is still a price to pay and sometimes the price is exceedingly high.

In the case of children in intermarriage the handicaps are too evident to require much discussion. One example will illustrate what actually occurs. This is a family in which the father is a Catholic and the mother a Jewess. Both are loyal to their own faith and to the group from which they come. They have three beautiful daughters just growing into young womanhood. The husband and the wife have agreed to meet the problem by not discussing religion in their home and by allowing their daughters to grow up and to select their own faith. They have agreed not to discuss religion among themselves but they live in constant fear that someone will discuss religion with them. The girls have no religious education whatever and do not know where they belong or in what way to proceed. They do not associate with Jews or with Catholics; they hesitate even to associate wth Protestants. Religion

has become a source of unhappiness in their life, something not to seek but to shun. In families in which the father insists that the child shall be educated in his faith or the mother in hers, the conflicts that develop make conditions even worse and they become intolerable for both the parents and the children.

XIV

Divorce

THE Jewish law, in biblical, talmudic, medieval and modern times, recognizes divorce as a legal and legitimate means of dissolving the marriage bond. The teachers in Israel, however, throughout the centuries have always disapproved of divorce and through various enactments have discouraged divorce action. "Tears are shed on God's altar," the Talmud says, "for the one who forsakes the wife of his youth." "He who divorces his wife is hated before God." Up to recent times divorce was an infrequent episode in Jewish life even though the divorce law itself was liberal, far more liberal than the law in most countries and in most states of the Union. Mielziner has carefully summarized the causes of divorce in the Jewish codes.

In the Bible the law of divorce is found in Deuteronomy, Chapter XXIV: "When a man taketh a wife and marrieth her, then it cometh to pass if she find no favor in his eyes because he hath found some unseemly thing in her, that he writeth her a bill of divorcement and giveth it in her hand and sendeth her out of his house." This means that the husband is free to divorce his wife with or

without her consent. He must, however, have found some "unseemly thing" in her. The interpretation of this phrase "unseemly thing" is important. One group of teachers in the Talmud, the School of Shammai, interpreted it to mean immoral conduct; another group of teachers, the School of Hillel, interpreted it to mean any condition or form of conduct that would violate the sanctity of marriage. It must also be noted that while the Bible leaves man free to divorce his wife, the Talmud does place restrictions upon the rights of the man; and in the 11th century Rabbi Gershon issued a decree ordaining that a woman shall not be put away except by her own consent unless proved guilty of certain violations of the law.

According to the Jewish law as summarized by Mielziner the marriage may be dissolved in four ways: First, by mutual consent. If the husband and the wife come to the conclusion that their marriage is a failure the court cannot interfere with their decision to dissolve the marriage bond. Second, the husband is entitled to divorce his wife on account of the following conditions: adultery or strong suspicion thereof; public violation of moral decency; change of religion or proved disregard of the ritual law; refusal of connubial rights for a whole year; unjustified refusal to follow the husband to another home; insult to the husband or the father-in-law in the presence of the husband; the presence of certain incurable diseases, such as epilepsy, that render marriage relationships im-

practical. Third, the wife is entitled to enforce a divorce from her husband on account of the following conditions: a loathsome chronic disease contracted by the husband after marriage; a disgusting trade in which the husband engages after marriage and which renders marriage relationships intolerable; repeated ill-treatment, such as beating, turning the wife out of the home, prohibiting the wife from visiting her parents' home; change of religion; notorious immoral conduct; wasting of property; commission of a crime; impotence and refusal of connubial rights. Fourth, and much more important, the court has the power to enforce a divorce if the court believes the marriage to be void. According to rabbinic law: if the wife has been guilty of adultery even though the husband is willing to continue the marriage; if the contraction of an incurable disease, such as leprosy, does not permit marriage relationships; if the marriage is sterile after ten years the party not sterile has a right to ask for or give a divorce. Later authorities disapprove, however, of this last provision.

In our own day the Jew lives under the jurisdiction of the law of the state in which he dwells and is governed by the divorce law of the state as he is governed by the marriage law. No divorce is legal or valid unless it is granted by the state through the court of jurisdiction. Some Jews, however, still insist upon a Jewish divorce or *Get* in addition to the legal divorce granted by the state.

This *Get,* it must be recognized, has no validity in the law unless granted in a country in which the Jews live under the jurisdiction of the Jewish law. Each state has its own divorce law and its own causes of divorce, with the exception of the State of South Carolina which has no divorce law whatever and grants no divorce to the residents of the state. The causes or grounds for divorce in the different states run all the way from a single cause, such as adultery in the State of New York, to many causes including incompatibility and mental cruelty, as in Nevada. The legal cause of divorce or the cause assigned in the divorce document is no indication of the true cause of the trouble.

Students of marriage problems are now of the opinion that the major causes that lie back of divorce today are largely the following: (1) Lack of proper preparation for marriage, which makes it difficult for young people to cope with the problems of marriage and family life; (2) lack of adequate counsel in time of need that would aid men and women to solve their problems in the incipient stage; (3) weakness and defects in the very foundations on which marriage must rest; (4) low standards of marriage and a sense of irresponsibility in husband or wife or both. In other words, students of family problems are now satisfied that the proper procedure today is to shift the center of interest from the evil of divorce to the conditions of marriage. Divorce is not always the outward sign of an

inward and irreparable breech. The pain, the suffering, the sense of loneliness and desolation that so often accompany or follow divorce prove that in many instances love is only wounded and is eager to be healed and not that love is dead and is waiting to be buried through the service by the Court.

The time to seek aid is in the early stages of the trouble not when it has progressed to the chronic and incurable stage of the disease. Again and again we are compelled to ask the question: Why do you come to me so late? After five or ten or fifteen years of increasing estrangement and dissension the damage is sometimes so great that the basis on which marriage must rest is destroyed beyond repair. Men and women are not accustomed to wait until disease destroys their health; they know enough now to consult a doctor when the symptoms first appear; they have also learned that it is dangerous to attempt to diagnose their own trouble. Men and women must also come to understand that there is no disgrace in consulting experts—doctors, lawyers, ministers, family counselors; that the disgrace lies in not consulting men or women who may be able to aid in solving the problem and saving the marriage. It may be that no ground can be found upon which the marriage can be reconstructed. This does happen. It may be that the man and the woman no longer trust each other; that they have lost faith in each other's integrity; that the last lingering love for each other

has died. Where this is true there is no solution but divorce. For there is nothing so humiliating to the man as to live with a woman he does not love; and there is nothing so degrading to a woman as to live with a man she does not love. But it may also be true that the man and the woman are confused by accumulated irritations and antagonisms and blinded temporarily by their own unhappiness. Where this is true it may still be possible under expert guidance to rekindle love, to reawaken trust, to restore the faith that may save both the man and the woman from unnecessary disaster and unwarranted divorce.

XV

The Function of the Family

THE family has served many functions in the course of its development. It has a biological function that probably accounts for the origin of the family itself; it is in and through the family that mating and reproduction can best take place and the race be perpetuated. The family also has an economic function; it is in and through the family that the members can best provide themselves with food, shelter and clothing. Before the advent of the industrial revolution the members of the family in most cases raised their own food, built their own homes, wove and made their own clothing. Professor Ogburn has pointed out that with the coming of steam the economic function of the home declined; bread is baked outside the home, houses are built by others, clothing is purchased ready made in the stores. And still many economic needs are met in and through the home; the home is the place of shelter and protection and the family through its wage-earners has a source of income out of which rent and provisions and apparel must be bought. The family also serves a social function; it is the organization in and through which the man and woman achieve

social status. To belong to a family means more than many seem to realize. Perhaps only those who find themselves without family associations and family relationships can fully understand the meaning of family status. To become a husband, a wife, a father, a mother confers a new status upon the individual. The young man and the young woman reveal their recognition of this fact in their very manner as soon as they marry and establish their home; and they reveal it even to a higher degree when they attain the status of parenthood.

The family is the basic social organization or institution. No other institution can serve as an adequate substitute. We may delegate to the school much of the formal education of children and adults, but the family will not cease to remain a potent instrument of education for both children and parents. No one can escape the educational influence of the home in the formation of habits, attitudes and outlooks on life. We may transfer to the church and the synagogue the formal ritual of religion; but the home will continue to shape the religious life of men and women and children even more than religious institutions. Teachers of religion recognize this fact in the constant complaint that they cannot counteract in the synagogue and the church the things the children learn in the home by precept, but chiefly by example. There is no institution, however, and no organization to which we can transfer or delegate the

psychological services of the family. There is no substitute for the satisfaction through the family of desires, cravings, yearnings that are a natural and legitimate part of the psychical constitution of every normal human being. Plato, in his *Republic,* a picture of the ideal social commonwealth, thought he could disband and do without the family. He provided that men and women should meet and mate during the great religious and national festivals and that the children issuing from such ephemeral contacts should be handed over to and reared by the state. But in his later years and in his more mature *Dialogues,* Plato re-established the family as the basic social organization, the foundation upon which the state itself must be built.

The family is a covenant with posterity. It is out of the families of today that the world of tomorrow must come. Studies have been made that show how one unfit and defective family can spread its poison through a number of generations and over large areas and place unbearable burdens upon society in the form of disease, delinquency, vice, crime, and insanity. Studies are also being made that reveal the contributions that a strong and noble family make to society and the ways in which it strengthens and enriches the blood stream of many generations.

A friend once remarked to a young mother: Your little girl seems a most unusual child. The mother replied: From the moment we knew we

were to be blessed with parenthood my husband and I prayed that we might become worthy of the child to be entrusted to our care. If we could think of the home as the cradle into which the future is born, and the family as the nursery in which the new social order is being reared, it would give us a higher understanding of the function of the family. It would help us to see that our family is not only related to the past through tradition but that it is related to the future through social responsibility and a social trust. The highest function of the family is to cultivate and to develop its own creative powers; to educate, train and discipline young men and women who themselves will form the new social state and who through their own gifts will increase the material resources, the intellectual wealth, the spiritual reservoirs upon which society must draw for the nourishment, strength and energy that are necessary for personal improvement and social progress.

The Jewish family moreover has a special function. Jewish family life has been developed and conserved through customs and ceremonies in the home rather than in the school or the synagogue. The Friday evening service that welcomes the Sabbath with the lighting of the Sabbath light by the mother and the sanctification and blessing by the father; the annual Passover Service and the home observance of other Festivals and Holydays; the celebration of happy anniversaries and the marking of sad remembrances and the days of mourn-

ing—all these have made the Jewish home not only a refuge and defense in time of trial and oppression, but a sanctuary and a source of joy and courage and inspiration in every period of Jewish life. The Jewish family becomes through the cultivation of its own genius a sacred circle in which the members are bound together in a spirit of common understanding, deep sympathy and unremitting sacrifice.

The resources upon which the Jewish family draws are not material but spiritual; and the chief resource is the heritage of the people of Israel. It is through the family that this heritage is transmitted from one generation to the next, and it is through the family that this reservoir of social experience and spiritual wealth is deepened and enriched. The Ethical Wills of the Jews, not an uncommon practice, serve as a convincing evidence that Jews are eager not only to bequeath to their children learning and wisdom, but are also anxious to commend to them the highest qualities of mind and heart and conduct. The Jew cannot forget that he is a member of the Kingdom of Priests and that, therefore, every table is an altar and every home a sanctuary. "God's presence," the sages tell us, "dwells in a pure and loving home." The ideals of truth, justice and peace toward which we grope through this blinding mist of agony and tears our children will establish as realities on earth. This is the most earnest prayer in the heart of every Jewish parent.

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Family, The. Family Welfare Association of America, New York.
Journal of Home Economics. American Home Economics Association, Washington, D. C.
Journal of Social Hygiene. American Social Hygiene Association, New York.
Living. National Conference on Family Relations, Chicago, Ill.

ORGANIZATIONS

The following organizations publish bibliographies, pamphlets and other material of service to those interested in marriage and family life.

American Eugenics Society. President, Samuel J. Holmes, 50 West 50th Street, New York.
American Home Economics Association. Chairman, Dr. Helen Judy Bond, 620 Mills Bldg., Washington, D. C.
American Social Hygiene Association. Chairman, Dr. William F. Snow, 50 West 50th Street, New York.
Association for Family Living. Chairman, Mrs. Evelyn Millis Duvall, 220 South State Street, Chicago, Ill.

Birth Control Federation of America. Chairman, Dr. Haven Emerson, 501 Madison Avenue, New York.

Children's Bureau. Chief, Katherine F. Lenroot, Department of Labor, Washington, D. C.

Child Study Association of America. Chairman, Mrs. Sidonie Gruenberg, 221 West 57th Street, New York.

Family Welfare Association of America. President, Stanley P. Davies, 122 East 22nd Street, New York.

Federal Council of Churches of Christ in America. Chairman, Dr. Foster L. Wood, 297 Fourth Avenue, New York.

Home Economics Bureau. Chief, Miss Louise Stanley, Department of Agriculture, Washington, D. C.

Jewish Institute on Marriage and the Family. Chairman, Dr. Sidney E. Goldstein, 40 West 68th Street, New York.

National Committee on Maternal Health. Chairman, Dr. Emerson Haven, 2 East 103rd Street, New York.

National Conference on Family Relations. Sec'y-Treas., Dr. Ernest W. Burgess, University of Chicago, Chicago, Ill.

National Council of Parent Education. Chairman, Prof. Joseph K. Folsom, Vassar College, Poughkeepsie, N. Y.

National Mental Hygiene Committee. President, Arthur H. Ruggles, 50 W. 50th Street, New York.

Progressive Education. President, Carleton Washburn, 221 West 57th Street, New York.

State Departments of Education, Health, Mental Hygiene.

U. S. Public Health Service. Surgeon-General, Dr. Thomas Parran, 19th Street and Constitution Ave., N. W., Washington, D. C.

Women's Bureau of the Department of Labor. Chief, Mary Anderson, 80 Center Street, N. Y.

PURPOSE AND PROGRAM of COMMITTEE ON MARRIAGE, THE FAMILY AND THE HOME

Central Conference of American Rabbis

In June 1934, the Chairman of the Commission on Social Justice, Dr. Sidney E. Goldstein, presented to the members of the Central Conference of American Rabbis the following recommendation:

"The subject of marriage and the family is rapidly coming into the foreground of social thought and concern. This is due to the large number of divorces, separations and estrangements in both the Jewish and non-Jewish groups. These estrangements, separations, and divorces may be due in large part to the tremendous changes that are taking place in the foundation, structure, organization, and function of the family today. Whatever the cause or causes these conditions constitute a challenge to every man in the ministry. The minister is in a strategic position in regard to marriage and the family, but he frequently is unable to be of service because of lack of training, experience, and a program of work. Upon the rabbi, even more than upon the minister of other groups, rests a special obligation. In Israel the family has always been regarded not merely as a biological product, nor as a social institution, nor as a legal

entity, but as a sacred circle and a sanctuary of our people. It is our duty to protect the family against disintegration and defilement and to safeguard the home as a source of spiritual enrichment and creative power in Israel. We recommend that the Central Conference of American Rabbis devote one or more of its sessions next year to a discussion of the problems of marriage and the family and the development of a program of service through the rabbi and the Synagog."

In June 1936, the members of the Central Conference of American Rabbis voted to create a Committee on Marriage, the Family and the Home in adopting the following recommendation:

"We recommend that the Central Conference of American Rabbis create a Committee or Commission on Marriage, the Family and the Home, and that this Committee or Commission be authorized to organize a program of education and service that will aid the members of the Central Conference of American Rabbis in their efforts to safeguard marriage and to conserve the family."

In May 1937, The Committee on Marriage, the Family and the Home presented its first report which included recommendations urging the organization of Lecture Courses and Study Groups to prepare men and women for a better understanding of marriage and family life; the establishment of Consultation Centers with a staff of experts; and a revision of the marriage laws of the states. This report especially emphasized the

responsibility of the state in the protection of marriage and the conservation of the family.

In June 1938, the Committee on Marriage, the Family and the Home presented the following series of recommendations which were unanimously adopted by the members of the Conference:

I

"That the rabbis of the Central Conference of American Rabbis be urged to require an interval of at least five days between the time of application for the marriage license and the time of performance of the ceremony. The only exceptions are to be those allowed by the states in which the five day interval is required by law.

II

That the rabbis of the Central Conference of American Rabbis be urged to require of both parties to the contract a general medical examination by a competent physician and that the medical certificates be exchanged between the two parties. The purpose of a general examination is to determine not only the presence or absence of a venereal disease but any condition that may serve as a handicap to marriage or endanger the life of either party through marriage.

III

That the rabbis of the Central Conference of American Rabbis be urged not to perform a marriage service when the medical examination dis-

closes that either party suffers with one of the following conditions: imbecility, insanity, epilepsy, tuberculosis in a communicable stage, a venereal disease in an infectious form.

IV

That the rabbis of the Central Conference of American Rabbis be urged to require of both parties to the contract a minimum preparation for an understanding of the problems of marriage and family life. This minimum preparation we believe should consist of the following: (1) Conferences with the rabbis for the discussion of the biological, psychological, economic and ethical aspects of marriage and the family: (2) the study of a standard Manual on Marriage.

V

That the Committee on Marriage, the Family and the Home be authorized to prepare a booklet containing such material as will be of service to both the rabbis and laymen and that will contain material concerning the Jewish aspects of marriage and the family, birth control, divorce, and kindred subjects. This material is to be submitted to the members of the Conference before the next annual meeting for review and criticism."

In June 1939, the Committee on Marriage, the Family and the Home reported upon the progress that had been made in the organization of Courses, Study Circles and the establishment of Consultation Centers. The Committee also presented a

series of recommendations urging: (1) the preparation of manual material to serve as a guide to synagogues and community centers; (2) the development of Courses on the Family in seminaries in order that Rabbis may be better equipped to serve their Congregations and communities; (3) the organization of a Seminar for graduate Rabbis under the joint auspices of the seminaries in America.

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